

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Robert Leon Garner,)	Case No. 1:23-cr-043
)	
Defendant.)	

On April 3, 2025, the court issued an order releasing Defendant to the Prairie Recover Center subject to a number of conditions, one of which required Defendant to immediate surrender to the custody of the United States Marshal upon his discharge from the Prairie Recovery Center's inpatient treatment program. (Doc. No. 165).

On May 28, 2025, Defendant filed a motion advising that his discharge from the Prairie Recovery Center was imminent and requesting that the court modify his conditions to allow him to reside at his residence. (Doc. No. 199). On May 29, 2025, the court issued an order denying Defendant's motion. (Doc. No. 201).

On May 30, 2025, the Pretrial Services Office filed a petition for action on Defendant's pretrial release conditions. (Doc. No. 202). The petition alleged that Defendant was discharged from the Prairie Recovery Center on May 29, 2025, but had yet to surrender to the custody of the United States Marshal. (Doc. No. 202). Upon reviewing the petition, the court directed that an arrest warrant for Defendant be issued. (Doc. Nos. 202 and 203).

On June 2, 2025, the Pretrial Services Officer advised the court that Defendant had surrendered to the custody of the United States Marshal on May 30, 2025. As Defendant is now in

custody, the court, on its own motion, **DISMISSES** the petition (Doc. No. 202) and **QUASHES** the arrest warrant (Doc. No. 203). Defendant is committed to the custody of the Attorney General or designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver defendant to the United States marshal for the purpose of an appearance in connection with court proceedings.

IT IS SO ORDERED.

Dated this 2nd day of June, 2025.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court